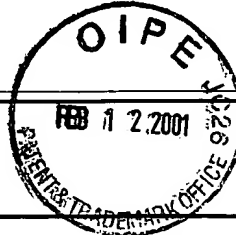


TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
DEX-0087

In Re Application Of: Recipon et al.



Serial No.
09/705,500

Filing Date
November 3, 2000

Examiner
Not Yet Assigned

Group Art Unit
1619

Title: A Novel Method of Diagnosing, Monitoring, Staging, Imaging and Treating Cancer

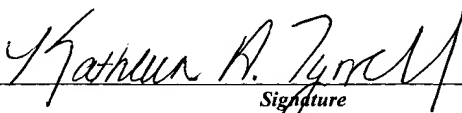
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

- 1) Notice to File Missing Parts
- 2) Response to Missing Parts
- 3) Response to Notice to Comply

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1619 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$65.00
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

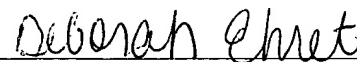

Signature

Jane Massey Licata, Reg. No. 32,257
Kathleen A. Tyrrell, Reg. No. 38,350

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053
Telephone: (856) 810-1515
Facsimile : (856) 810-1415

Dated: February 9, 2001

I certify that this document and fee is being deposited
Feb. 9, 2001 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

Deborah Ehret

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0087
Inventors: Recipon et al.
Serial No.: 09/705,500
Filing Date: November 3, 2000
Examiner: Not yet assigned.
Group Art Unit: Not yet assigned.
Title: A Novel Method of Diagnosing,
Monitoring, Staging, Imaging and
Treating Cancer



I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On this date: February 9, 2001

Kathleen A. Tyrrell
Kathleen A. Tyrrell, Registration No. 38,350

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

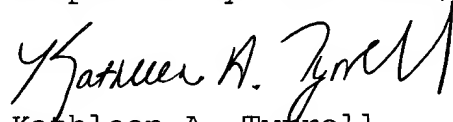
Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- () I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- () I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.

- () I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- (XX) I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing were made merely to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- (XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- (XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), contains identical data to that originally filed.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: February 9, 2001

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0087
Inventors: Recipon et al.
Serial No.: 09/705,500
Filing Date: November 3, 2000
Examiner: Not Yet Assigned
Group Art Unit: 1619
Title: A Novel Method of Diagnosing,
Monitoring, Staging, Imaging and
Treating Cancer



I, **Kathleen A. Tyrrell**, Registration No. **38,350**, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On this date:

Kathleen A. Tyrrell

Kathleen A. Tyrrell, Registration No. 38,350

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

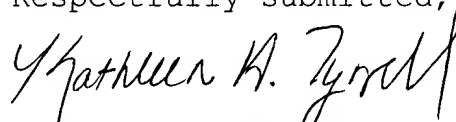
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated **January 11, 2001**, a response to which is due **March 11, 2001**, enclosed herewith for filing is the original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. **EL156906456US** on **November 3, 2000**.

() Other:

- () An Associate Power of Attorney is also enclosed.
- (XX) Small entity status of this application has been established on November 3, 2000.
- () A Verified Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 has been forwarded to the Refund Section, Accounting Division, Office of Finance on _____. A **copy** of this Verified Statement Claiming Small Entity Status form and the Request for Refund form is enclosed for your convenience.
- () A credit card payment form in the amount of \$_____ is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619.
- () Please charge the surcharge to my Deposit Account No. 50-1619 in the amount of \$_____.

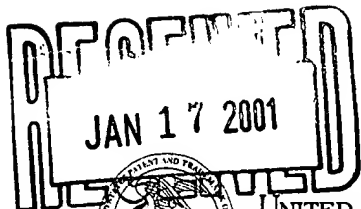
This sheet is attached in duplicate.

Respectfully submitted,

Kathleen A. Tyrrell
Registration No. **38,350**

Date: **February 9, 2001**

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

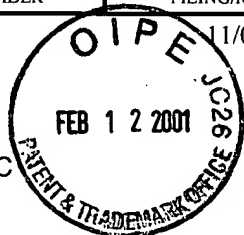


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/705,500	11/03/2000	Herve Recipon	DEX-0087

Kathleen A Tyrrell
Liicata & Tryrell P C
66 E Main Street
Marlton, NJ 08053



Docket System ☒
Status Report ☒
Docket Book ☒

FORMALITIES LETTER



OC000000005672539

Date Mailed: 01/11/2001

(max) 03/11/01
7/11/01

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason (s):
 - This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

D. Martin Ty

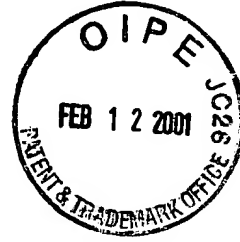
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

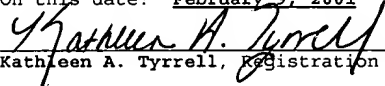
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0087
Inventors: Recipon et al.
Serial No.: 09/705,500
Filing Date: November 3, 2000
Examiner: Not yet assigned.
Group Art Unit: Not yet assigned.
Title: A Novel Method of Diagnosing,
Monitoring, Staging, Imaging and
Treating Cancer



I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On this date: February 9, 2001


Kathleen A. Tyrrell, Registration No. 38,350

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE**

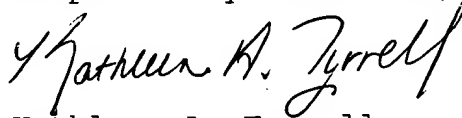
In response to the "Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" which was included in the Notice of Missing Parts dated **January 11, 2001**, a response to which is due **March 11, 2001**, enclosed herewith is:

(XX) Amendment under 1.825;

- (XX) Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- (XX) Substitute pages of the Sequence Listing;
- (XX) Substitute copy of the computer readable form of amended Sequence Listing;
- (XX) Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
- () Petition for Extension of Time;
- () Other: _____.

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 50-1619. This sheet is attached in duplicate.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: February 9, 2001

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

Raw Sequence Listing Error Summary

RECEIVED
JAN 17 2001

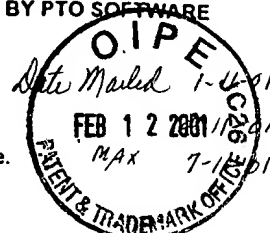
SERIAL NUMBER: 09/705,500

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

Wrapped Nucleics

The number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".

The amino acid number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".



Docket System ☒ Wrapped Aminos
Status Report ☒
Docket Book ☒

3 ☐ Incorrect Line Length

The rules require that a line not exceed 72 characters in length. This includes spaces.

4 ☐ Misaligned Amino Acid Numbering

The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.

5 ☐ Non-ASCII

This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.

6 ☐ Variable Length

Sequence(s) ☐ contain n's or Xaa's which represented more than one residue.
As per the rules, each n or Xaa can only represent a single residue.
Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing.

7 ☐ PatentIn ver. 2.0 "bug"

A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) ☐. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies primarily to the mandatory <220>-<223> sections for Artificial or Unknown sequences.

8 ☐ Skipped Sequences (OLD RULES)

Sequence(s) ☐ missing. If intentional, please use the following format for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X:
(i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:
This sequence is intentionally skipped

Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).

9 ☐ Skipped Sequences (NEW RULES)

Sequence(s) ☐ missing. If intentional, please use the following format for each skipped sequence.
<210> sequence id number
<400> sequence id number
000

10 ☐ Use of n's or Xaa's (NEW RULES)

Use of n's and/or Xaa's have been detected in the Sequence Listing.
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.

11 ☐ Use of <213>Organism (NEW RULES)

Sequence(s) ☐ are missing this mandatory field or its response.

12 ☐ Use of <220>Feature (NEW RULES)

Sequence(s) ☐ are missing the <220>Feature and associated headings.
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"
Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)

13 ☐ PatentIn ver. 2.0 "bug"

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other means to copy file to floppy disk.